

**ANNUAL REPORT  
OF THE  
CHILD CUSTODY AND SUPPORT  
ADVISORY COMMITTEE**



**Indiana Legislative Services Agency  
200 W. Washington Street, Suite 301  
Indianapolis, Indiana 46204**

**November, 2005**

# INDIANA LEGISLATIVE COUNCIL

## 2005

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Chairman

Columbus

Speaker Brian Bosma

Vice-Chairman

Indianapolis

Senator Richard Young

Milltown

Representative B. Patrick Bauer

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Indianapolis

Representative William Friend

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Senator Patricia Miller

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Representative Kathy Richardson

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Philip J. Sachtleben  
Executive Director  
Legislative Services Agency

# INDIANA CHILD CUSTODY AND SUPPORT ADVISORY COMMITTEE

## Membership Roster

### Senators

David Ford, Chairperson  
Hartford City

Brent Steele  
Bedford

Anita Bowser  
Michigan City

Billie Breaux  
Indianapolis

### Representatives

Vanessa Summers  
Indianapolis

Clyde Kersey  
Terre Haute

Cleo Duncan  
Greensburg

Andrew Thomas  
Brazil

### Laymembers

Bruce Pennamped  
Indianapolis

John Brandt  
Fort Wayne

Judge Robyn Moberly  
Indianapolis

Sharon Bradford  
Indianapolis

### Staff

Eliza Houston  
Attorney for the Committee

Sarah Brooks  
Fiscal Analyst for the Committee

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

## **I. STATUTORY AND LEGISLATIVE COUNCIL DIRECTIVES**

The Indiana General Assembly enacted legislation (IC 33-24-11-6) directing the Committee to review custody and educational expenses and other items related to the welfare of a child of a family that is no longer intact. Specifically, the Committee is to consider the following in studying the child support guidelines:

- (1) The mathematics pertaining to the child support guideline chart.
- (2) The actual costs of supporting a child.
- (3) Whether it is appropriate to calculate child support guideline amounts based primarily upon the ability of the parent to pay rather than the financial needs of the child.
- (4) Equality of child support awards for the children of the parties, regardless of birth order.
- (5) A mechanism that may be employed to modify the amount of support to be paid due to a change in financial circumstances or a change in the number of children being supported by either parent.
- (6) The age of a child to the extent that the child may require different amounts of support at different ages.
- (7) Clarification regarding under what circumstances, if any, support may be abated.
- (8) A mechanism that may be employed to ensure that the guidelines are applied flexibly.
- (9) The application of the guidelines to a split custody situation.
- (10) Whether it is appropriate to base child support guidelines upon the premise that the child should enjoy the same standard of living that the child would have enjoyed if the family remained intact.

Additionally, the Legislative Council charged the Committee with studying the topic of child support for post-secondary education.

## **II. INTRODUCTION AND REASONS FOR STUDY**

See Section 1 above.

## **III. SUMMARY OF WORK PROGRAM**

The Committee met two times during the 2005 interim.

The first meeting was held at the State House on October 12, 2005. The Committee discussed child support for post-secondary education, the legal settlement of a student in a school corporation when a court has granted a parent custody of a student, and relocation issues in

family law matters. The Committee approved the proposed legislation concerning the legal settlement of a student in a school corporation when a court has granted a parent custody of the student.

The second meeting was held at the State House on October 28, 2005. The Committee discussed relocation issues in family law matters and approved proposed legislation concerning those issues.

The minutes from the meetings on October 12 and October 28, 2005 are attached to this report and can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

#### **IV. SUMMARY OF TESTIMONY**

##### **Child Support for Post-Secondary Education**

Testimony was given that under current law a parent is required to pay child support, including post-secondary education expenses, after a child is eighteen (18) years of age, and legislation should be introduced to change the law so that child support obligations cease at the age of majority, which is 18 years of age.

##### **Legal Settlement of a Student**

Testimony was given that under current law a student's legal settlement in situations where one parent has been granted custody of the student by a court order is in the school corporation where the parent granted custody resides, and the proposed legislation that would allow a student to attend school in a school corporation where either parent resides should be approved by the Committee.

##### **Relocation Issues in Family Law Matters**

Testimony was given that relocation issues in family law matters are one of the top two or three most contested issues in litigation in the family law area, and proposed legislation that clarifies this area of the law should be approved by the Committee.

#### **V. COMMITTEE FINDINGS AND RECOMMENDATIONS**

The Committee did not make any findings of fact.

The Committee made recommendations that the following preliminary drafts be adopted:

##### **PD 3210 - Legal Settlement in School Corporation**

Preliminary draft (PD) 3210 provides that where a court order grants a parent custody of a student, the parent granted custody (or the student if the student is at least 18 years of age) may elect at the beginning of a school year for the student to have legal settlement in the school

corporation in which the student's mother resides or the school corporation in which the student's father resides. PD 3210 also provides that: (1) the election may be made only on a yearly basis; and (2) the student or parent who makes the election may not be charged transfer tuition. The Committee approved this draft in a roll call vote, 8-0.

#### **PD 3414 - Relocation Issues in Family Law Matters**

Preliminary draft (PD) 3414, a revised version of PD 3248, does the following:

- (1) Requires an individual who has or is seeking custody of or parenting time with a child and who intends to relocate to provide:
  - (A) notification to an individual who has or is seeking custody of, parenting time with, or grandparent visitation with the child by registered mail not later than 90 days before the individual intends to move; and
  - (B) specific information in the notice unless providing the information would create a significant risk of substantial harm to the individual or the child.
- (2) Provides that a court may consider the intent to relocate a child in an initial custody hearing.
- (3) Provides that:
  - (A) not later than 60 days after the nonrelocating parent receives the notice, a nonrelocating parent may file a motion with the court to prevent the relocation of a child;
  - (B) if the nonrelocating parent fails to file a motion with the court, the individual may relocate;
  - (C) upon request of either party, the court shall hold a full evidentiary hearing; and
  - (D) the relocating individual has the burden of proof that the relocation is made in good faith and for a legitimate purpose.
- (4) Establishes:
  - (A) additional factors the court may consider in determining whether to modify the custody, parenting time, grandparent visitation, or child support orders in actions concerning relocation; and
  - (B) factors the court may consider in granting or denying a petition to prevent relocation of a child.
- (5) Repeals provisions concerning notice of the relocation of a child in child custody matters.

WITNESS LIST

Representative Phyllis Pond

Dr. William Pond

Andrew A. Soshnick

Robert Billingham

Bruce Smith

Julie Robbins

Charles Erickson

Judge Michael P. Scopelitis

Robert Monday

Randall Richter

Members

Sen. David Ford, Chairperson  
Sen. Brent Steele  
Sen. Anita Bowser  
Sen. Billie Breaux  
Rep. Cleo Duncan  
Rep. Andrew Thomas  
Rep. Clyde Kersey  
Rep. Vanessa Summers  
John Brandt  
Bruce Pennamped  
Judge Robyn Moberly  
Sharon Bradford



# CHILD CUSTODY AND SUPPORT ADVISORY COMMITTEE

LSA Staff:

Eliza Houston, Attorney for the Committee  
Sarah Brooks, Fiscal Analyst for the Committee

Authority: IC 33-2.1-10-1

*Legislative Services Agency*  
200 West Washington Street, Suite 301  
Indianapolis, Indiana 46204-2789  
Tel: (317) 233-0696 Fax: (317) 232-2554

## MEETING MINUTES<sup>1</sup>

**Meeting Date:** October 12, 2005  
**Meeting Time:** 1:00 P.M.  
**Meeting Place:** State House, 200 W. Washington  
St., Room 431  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 1

**Members Present:** Sen. David Ford, Chairperson; Sen. Brent Steele; Sen. Anita Bowser; Sen. Billie Breaux; Rep. Andrew Thomas; Rep. Clyde Kersey; Rep. Vanessa Summers; Judge Robyn Moberly; Sharon Bradford.

**Members Absent:** Rep. Cleo Duncan; John Brandt; Bruce Pennamped.

Senator Ford, Chairperson, called the first meeting of the Indiana Child Custody and Support Advisory Committee ("Committee") to order at 1:05 PM and noted that Senator Bowser had an announcement.

Senator Bowser provided handouts<sup>2</sup> concerning a new facility in LaPorte County that provides parent and family support, including care for children who are abused or

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

<sup>2</sup> Exhibits 1 through 6



neglected. Senator Bowser stated that the facility is in a beautiful building paid for by volunteer help and grants. She suggested that she would like the Committee to take a field trip to see the facility. Senator Ford indicated that the Committee was limited this year on time and meetings and that the Committee may be in a better position to consider a trip to see the facility next year.

### **Child Support for Post-Secondary Education**

Representative Pond introduced herself and then introduced her son, Dr. William Pond, to speak on issues concerning child support for post-secondary education. Dr. Pond provided background information concerning his credentials and his current situation as a custodial parent. He discussed the current law in Indiana on post-secondary education child support and provided a handout<sup>3</sup> on proposed changes to the current law. He then provided information on: (1) laws in other states; (2) the history of Indiana law in this area; (3) arguments in favor of the current law in Indiana; (4) arguments against the current law; and (5) the political realities of the proposed changes to the law. Dr. Pond indicated that the current law should be changed so that child support obligations under the law, including post-secondary education child support, cease at the age of majority, which is 18 years of age. He also indicated that the current law causes discord between family members and amounts to an unconstitutional taking of property from one able bodied class to another. He further opined that under the constitutional principle of equal protection, like persons in like circumstances will be treated similarly. Dr. Pond provided a handout<sup>4</sup> of his testimony.

In response to Dr. Pond's testimony, Senator Ford indicated that the law applies to broken families that are already in discord and that students are not considered emancipated. Senator Ford also pointed out that an individual has the right to address the issue of post-secondary educational support in court and asked Dr. Pond whether the parent who wants to support the child's post-secondary education expenses should have the full burden of the costs. Dr. Pond responded that this issue should not be addressed in court and questioned whether a person who is 18 years of age has a right to an education.

In response to a Committee member's questions concerning how often Dr. Pond had been before the Court of Appeals and the Indiana Supreme Court, he responded that he had been to the Court of Appeals two or three times and the Indiana Supreme Court once.

Senator Steele explained that under law, the court must consider the standard of living the child would have had if the family was intact and the ability of each parent to meet his or her expenses. Senator Steele provided a handout<sup>5</sup> on current Indiana law and excerpts from the Indiana Child Support Rules and Guidelines concerning child support for educational expenses.

Dr. Pond opined that the courts should not be involved, and the parents and child should work out the issues themselves. He further indicated that the age for support should be the same as the age of majority, which is 18 years of age.

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<sup>3</sup> Exhibit 7

<sup>4</sup> Exhibit 8

<sup>5</sup> Exhibit 9

In response to questions from Committee members concerning raising the age of majority, Dr. Pond responded that numerous other issues and laws would need to be changed or addressed if the age of majority was changed.

Representative Summers indicated that amending the law as Dr. Pond suggested would take funds from custodial parents and would seem to result in more discord among the parents and the child. She also stated that she did not see the benefit in his proposed changes to the law and that the changes would not benefit the child. Dr. Pond stated that parents should have a moral obligation to support their children after the age of 18 but that the legal obligation should be the same regardless of whether the parents are married.

Representative Thomas opined that the arguments concerning the laws in numerous other states where the age for child support ceases at 18 years of age and the constitutional issues are compelling. In response to a questions from Committee members, Dr. Pond indicated that he was willing to look at other options for changes to the current law on this issue.

Mr. Robert Billingham, a custodial parent, testified that he taught classes on the long term effects of divorce. He stated that he believes Indiana law should be amended so that child support, including post-secondary educational expenses, cease when a child is 18 years of age. He also indicated that the courts apply the child support formula under the child support guidelines.

The Committee noted that a court has a right to deviate from the formula under the child support guidelines, and individuals have a right to litigate child support for post-secondary education.

Mr. Bruce Smith testified that he agreed with changing the law so that child support would cease when a child is 18 years of age. He indicated that fathers should be encouraged to be more involved in their children's lives. In response to questions from the Committee members, Mr. Smith stated that he had spent approximately \$7,500 to litigate issues involving his children.

Ms. Julie Robbins testified that she is a custodial mother and agrees that the current law should be amended so that child support ceases when a child is 18 years of age because of the constitutional issues that Dr. Pond discussed. In response to questions from Committee members, Ms. Robbins explained that the age of majority is all over the place and that even though an individual has a right to litigate, the judge must explain why he or she is deviating from the child support guidelines, which places a burden on the judge. Senator Steele pointed out that often the attorneys provide the explanation in a document filed with the court.

Mr. Charles Erickson testified that his parents did not pay for his college education because they wanted to teach him the value of money and the cost of an education. He indicated that the current law takes away a parent's right to teach certain values. He provided statistics from a survey that suggests courts are biased.

## **Consideration of Legislative Proposals**

### *PD 3210<sup>6</sup> -- Legal Settlement in School Corporation*

Preliminary draft (PD) 3210 provides that where a court order grants a parent custody of a student, the parent granted custody (or the student if the student is at least 18 years of age) may elect at the beginning of a school year for the student to have legal settlement in the school corporation in which the student's mother resides or the school corporation in which the student's father resides. PD 3210 further provides that: (1) the election may be made only on a yearly basis; and (2) the student or parent who makes the election may not be charged transfer tuition.

Mr. Andrew Soshnick, representing the Indiana State Bar Association, Family Law Section, spoke in support of PD 3210. He indicated that transportation costs may need to be addressed. In response to questions from Committee members, Mr. Soshnick indicated that the schools may have concerns with the costs that may result from the proposed bill draft, clarified that a student may only attend a school corporation where either the father or the mother of the student resides under the proposed bill draft, and indicated that in joint custody situations legal settlement of a student is usually in the school corporation where the child predominantly resides.

The Committee members voted by consent to amend PD 3210, specifically clarifying custody to include physical custody. The Committee members also clarified when an individual must make an election for legal settlement to include "not later than fourteen (14) days before the first student day" at the beginning of the school year. PD 3210, as amended, was approved by the Committee members in a roll call vote, 8-0.<sup>7</sup>

### *PD 3248<sup>8</sup> -- Relocation Issues in Child Custody Matters*

\_\_\_\_\_ PD 3248 requires an individual who has or is seeking custody of a child and who intends to relocate with the child to: (1) provide notification to the nonrelocating parent by registered mail not later than 90 days before the individual intends to move; and (2) provide specific information in the notice unless providing the information would create a significant risk of substantial harm to the individual or the child. PD 3248 further provides that a court may: (1) consider the intent to relocate a child in an initial custody hearing; and (2) find an individual who fails to give appropriate notice of an intended relocation in contempt and impose sanctions. PD 3248 also provides that: (1) a nonrelocating parent may file a motion with the court to prevent the relocation of a child not later than 60 days after the nonrelocating parent receives the notice; (2) if the nonrelocating parent fails to file a motion with the court, the individual may relocate with the child; (3) upon request of either party, the court shall hold a full evidentiary hearing; and (4) the individual intending to relocate has the burden of proof that the relocation is made in good faith. PD 3248 establishes: (1) additional factors the court may consider in determining whether to modify the custody, parenting time, or support orders in actions concerning relocation of a child; and (2) factors the court may consider in granting or denying a petition to prevent relocation of a child. Finally, PD 3248 repeals a provision being moved to another location in the code.

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<sup>6</sup> Exhibit 10

<sup>7</sup> Exhibit 11

<sup>8</sup> Exhibit 12

Mr. Soshnick explained that the language in PD 3248 was based on the American Academy of Matrimonial Lawyers Proposed Model Relocation Act. He further noted that relocation issues are one of the top two or three most contested issues in litigation in this area. Mr. Soshnick noted that parts of the proposed bill draft should be clarified.

The Committee members discussed whether 90 days was a reasonable time period in which to give notice before an intended relocation and whether the distance that a party must move before the notice requirement applies is appropriate.

Mr. Billingham testified that the court should take into consideration the extent to which the parties and child are settled in the community.

Mr. Joel Kilzer provided background information on his situation as a non-custodial parent. He testified that his ex-wife moved 20 miles away from where he lived, and he was unable to participate in his children's extracurricular activities as a result of the move. He further explained that because of the relocation he was unable to be as active in his children's lives and had lost parenting time with his children.

Mr. Smith discussed his experience concerning his ex-wife's relocation with their child. He provided handouts<sup>9</sup> that included information on his personal experience and suggestions on preventing relocations and addressing transportation issues when one parent relocates.

Ms. Robbins testified that 90 days was reasonable notice. She also indicated the burden of proof should be on the custodial parent who wants to relocate.

The members of the Committee discussed having other judges and attorneys look at PD 3248 before voting on the proposed bill draft.

### **Other Business**

\_\_\_\_\_The members of the Committee received two handouts<sup>10</sup> that contained emails from Mr. Robert Monday and Mark and Kristene Miller addressing the topics of child support for post-secondary education, legal settlement of a student, relocation issues in child custody matters, and the Indiana Parenting Time Guidelines. In addition, a draft of a final report<sup>11</sup> for the Committee was provided to the Committee members. Senator Ford set the next meeting date for October 28, 2005 at 1:00 PM.

### **Adjournment**

There being no further business to conduct, Senator Ford adjourned the meeting at 3:20 PM.

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<sup>9</sup> Exhibits 13 and 14

<sup>10</sup> Exhibits 15 and 16

<sup>11</sup> Exhibit 17

Members

Sen. David Ford, Chairperson  
Sen. Brent Steele  
Sen. Anita Bowser  
Sen. Billie Breaux  
Rep. Cleo Duncan  
Rep. Andrew Thomas  
Rep. Clyde Kersey  
Rep. Vanessa Summers  
John Brandt  
Bruce Pennamped  
Judge Robyn Moberly  
Sharon Bradford



## CHILD CUSTODY AND SUPPORT ADVISORY COMMITTEE

LSA Staff:

Eliza Houston, Attorney for the Committee  
Sarah Brooks, Fiscal Analyst for the Committee

Authority: IC 33-24-11-1

*Legislative Services Agency*  
200 West Washington Street, Suite 301  
Indianapolis, Indiana 46204-2789  
Tel: (317) 233-0696 Fax: (317) 232-2554

### MEETING MINUTES<sup>12</sup>

Meeting Date: October 28, 2005  
Meeting Time: 1:00 P.M.  
Meeting Place: State House, 200 W. Washington  
St., Room 233  
Meeting City: Indianapolis, Indiana  
Meeting Number: 2

**Members Present:** Sen. David Ford, Chairperson; Sen. Brent Steele; Sen. Anita Bowser; Sen. Billie Breaux; Rep. Cleo Duncan; Rep. Andrew Thomas; Rep. Clyde Kersey; Rep. Vanessa Summers; John Brandt; Bruce Pennamped; Judge Robyn Moberly.

**Members Absent:** Sharon Bradford.

Senator Ford, Chairperson, called the second meeting of the Indiana Child Custody and Support Advisory Committee ("Committee") to order at 1:15 P.M.

### Consideration of Legislative Proposals

*PD 3414<sup>13</sup> -- Relocation Issues in Family Law Matters*

Preliminary draft (PD) 3414, a revised version of PD 3248, does the following:

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<sup>12</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

<sup>13</sup> Exhibit 1

- (1) Requires an individual who has or is seeking custody of or parenting time with a child and who intends to relocate to:
  - (A) provide notification to an individual who has or is seeking custody of, parenting time with, or grandparent visitation with the child by registered mail not later than 90 days before the individual intends to move; and
  - (B) provide specific information in the notice unless providing the information would create a significant risk of substantial harm to the individual or the child.
- (2) Provides that a court may consider the intent to relocate a child in an initial custody hearing.
- (3) Provides that:
  - (A) not later than 60 days after the nonrelocating parent receives the notice, a nonrelocating parent may file a motion with the court to prevent the relocation of a child;
  - (B) if the nonrelocating parent fails to file a motion with the court, the individual may relocate;
  - (C) upon request of either party, the court shall hold a full evidentiary hearing; and
  - (D) the relocating individual has the burden of proof that the relocation is made in good faith and for a legitimate purpose.
- (4) Establishes:
  - (A) additional factors the court may consider in determining whether to modify the custody, parenting time, grandparent visitation, or child support orders in actions concerning relocation; and
  - (B) factors the court may consider in granting or denying a petition to prevent relocation of a child.
- (5) Repeals provisions concerning notice of the relocation of a child in child custody matters.

Judge Robyn Moberly, a member of the Committee, discussed the changes to the original proposed bill draft (PD 3248) on relocation issues in family law matters. Judge Moberly noted that the changes included: (1) removing provisions that a parent move at least one hundred (100) miles before notice is required; (2) requiring notice be given to a grandparent who has visitation rights; (3) awarding attorney fees in accordance with current law; and (4) allowing the court to order that information be maintained by the clerk of the court in a secure and separate location, if necessary.

In response to questions from members of the Committee, Judge Moberly noted that when a parent provides a revised parenting time schedule with a notice, the parties would need to file the revised schedule with the court and receive a court order for the modification of parenting time. If the parties do not get a court order modifying the parenting time, a parent requesting modification of parenting time at a later date would have to petition modifying the original parenting time order and not the revised parenting time schedule. She indicated that this is what happens under the current law. She also indicated that with the changes to the proposed bill draft, a person who has custody or parenting time with a child would have to file notice even if they are just moving down the block.

Judge Michael Scopelitis testified that the Domestic Relations Committee of the Judicial Conference of Indiana (DRC) had reviewed the original proposed bill draft (PD 3248) and had some recommendations. First, he noted that the proposed bill draft is important legislation. He indicated that the policies concerning family law have changed over time, and the current policy is that both parents should raise a child. He noted that, as

a result, parents need to cooperate and provide stability to the child and that relocation of a parent creates incredibly difficult issues in regard to this policy. Secondly, he stated that the DRC discussed the distance a parent must move before the parent is required to give notice under law. He indicated that any move could cause a change in school corporations, disruption in the exercise of mid-week parenting time, and other issues. He also stated that both the custodial and the noncustodial parent should provide notice and that a custodial parent has a right to depend on the noncustodial parent to help raise the child. He indicated that it is common courtesy to notify the other parent of a relocation. Judge Scopelitis suggested that grandparents who have court ordered visitation should receive notice of a relocation. He further noted that DRC had concerns with the language regarding awarding of attorney fees and suggested that the general statutes concerning attorney fees should apply to protect against a parent frivolously asking to relocate or objecting to a relocation. Finally, he stated that a court should be able to order the information provided be kept separate and secure when necessary and that there were concerns with the ex parte language.

Judge Scopelitis explained that Judge Moberly had attempted to address the DRC's concerns with her changes to the original proposed bill draft. He asked that the members of the Family Law Section of the Indiana State Bar Association who practice in the family law area review the current bill draft (PD 3414) and provide suggestions. He also noted that the language in the draft concerning "good faith" was very subjective, and Judge Moberly had added "and for a legitimate purpose." In response to questions from members of the Committee, Judge Scopelitis stated that the DRC had not seen the proposed bill draft with Judge Moberly's changes, and therefore, could not comment on the current proposed bill draft (PD 3414).

Members of the Committee noted that attorneys who practice in the area of family law have reviewed and continue to review the proposed bill draft. Members of the Committee recommended the proposed bill draft move forward at this time. Representative Thomas noted his concerns with portions of the proposed language.

Mr. Robert Monday, representing the Children's Rights Council, testified that he had never seen a proposal that had such widespread interest among all affected constituencies as this proposed bill draft on relocation issues in family law matters. He noted that there is an expectation that both parents be involved with the child. He strongly encouraged the Committee to move the legislation forward at this time. Mr. Monday provided a handout<sup>14</sup> on his testimony.

Mr. Randall Richter, a concerned parent, testified that custodial parents are able to move too easily. He further indicated that the proposed bill draft would not cover his situation where his wife had moved while they were separated. However, he stated that he did not know how this situation could be addressed under the law.

Julie Robbins, a custodial parent, testified that she liked the changes to the original proposed bill draft, and she supported removing the language that a parent must move at least one hundred (100) miles before notice is required. She also indicated the requirement that notice be given ninety (90) days before a parent relocates was reasonable.

Representative Thomas noted some technical changes that may need to be addressed in the proposed bill draft at a later date.

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<sup>14</sup> Exhibit 2

PD 3414 was approved by Committee members in a roll call vote, 11-0.<sup>15</sup>

### **Other Business**

#### *Final Report*

The Committee voted 11-0 to approve the final report.

### **Adjournment**

Senator Ford adjourned the meeting at approximately 2:30 P.M.

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<sup>15</sup> Exhibit 3